

# Carroll Township Zoning Hearing Board

Business Meeting Minutes

Monday September 29, 2023 @ 6:00pm

Meeting attendees were:

Gary Reihart – Chairman

Rich Gensler – Vice Chairman

Frank Setlak – Secretary

Brandon Slatt – Carroll Township Zoning Officer

John R. Wilson – Solicitor from CGA Law Firm

Following are the meeting minutes from the Zoning Hearing Board (ZHB) business meeting held on Sep 29, 2023. The meeting was held at the Carroll Township offices.

1. A motion was made to accept the Aug 28, 2023 ZHB business meeting minutes into record. The motion was seconded and passed unanimously.
2. The business meeting was recessed to commence with the continuance hearing of docket 2023-006.
3. The hearing portion of the meeting was adjourned to continue with the business meeting.
4. The Board discussed the draft of the Carroll Township Zoning Hearing Application updated by solicitor John Wilson. Each Board member and zoning office Slatt provided their feedback for minor changes. Outside of those changes, the Board approved using this new application. Slatt stated that he will begin using the new form for any new applications.
5. There were no discussions on agenda item #19 – Zoning Hearing Board 2023 YTD expenses.
6. Board member Setlak asked the question as to our zoning ordinance fee being hearing related or variance related? Setlak questioned this based on his research with surrounding municipalities and his experiences with Hanover Borough.

Setlak stated that Franklin Township is \$730/hearing and half the cost of the stenographer cost, no matter how many variances requested. Monaghan Township is \$600/variance request and ½ the cost of the stenographer. Warrington Township is \$750/variance request and will allow up to three (3) requests for the fee; above that is an additional \$750/request. Hanover Borough is \$800/request.

Chairman Reihart stated that he was not interested at changing the fees for residents in Carroll Township. Setlak clarified that he is questioning this as to what the intent is for Carroll Township. Solicitor Wilson clarified the ordinance as our fees are based per hearing not per variance request. Setlak understood and thought it should be discussed as most Carroll Township residences only have one variance request whereas businesses and developers have multiple variance requests. It was also good to understand what adjoining municipalities are doing to manage their fees and costs for their township.

7. Setlak and Slatt updated the Board of the first meeting of the Comprehensive Plan committee. Setlak asked for Board feedback as to what are the major areas of concern to be addressed with this revised plan. It was suggested in our Comprehensive Plan meeting to provide the top two or three concerns to those firms we will be sending RFQ's to assist in our plan. The Board discussed this and decided that traffic control and recreational areas are the top two concerns needing to be addressed. Setlak confirmed and said he would advise the committee of the Boards selection.
8. A motion was made to adjourn the meeting, which was seconded, and unanimously passed.

Prepared by: Frank Setlak  
attach  
230925 Zoning Board Business Meeting Minutes.docx

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## ZONING HEARING BOARD APPLICATION INSTRUCTIONS

1. The **APPLICATION FORM** must be filled out completely with full answers to every statement and questions. The application **MUST** be signed by the property owner.
2. A **FILING FEE**, which is established pursuant to Section 450-703 of the Zoning Ordinance, must be paid at the time of filing the application. This fee only partially covers the extra cost to the municipality of investigating and processing the application through its various stages and is permitted by law.
3. To be considered a **COMPLETE APPLICATION**, all Applicants requesting a special exception(s) and/or a variance(s) must provide the information required by Section 450-605.B.1. Failure to provide this information could result in an application being considered incomplete. If an Applicant fails to provide all of the information required by Section 450-605.B.1, the Zoning Hearing Board may, at its sole discretion, determine to proceed with the application or to continue the hearing until the application is complete.
4. **PHOTOGRAPHS** of the subject property are often helpful for the Zoning Hearing Board when reviewing an application. Accordingly, applicants are encouraged to include and attach photographs as exhibits to the application.
5. Each application shall include a **PLOT PLAN** drawn to scale with sufficient clarity to show the nature and character of the request.
6. When all of the above-referenced requirements are met, **FILE** the application with the Township Zoning Officer and pay the Filing Fee.

### Submission Checklist:

- Provide eight (8) copies of the application and all supporting documentation.
- All documents shall also be submitted in electronic format.
- Filing Fee \$ \_\_\_\_\_

Carroll Township, York County  
555 Chestnut Grove Road, Dillsburg, PA 17019  
Tel: (717) 432 4951 Fax: (717) 502-8807

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## ZONING HEARING BOARD APPLICATION

**1. APPLICANT INFORMATION.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**2. REPRESENTATIVE/CONSULTANT INFORMATION (if applicable).**

Name: \_\_\_\_\_

Employer: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**3. PROPERTY OWNER INFORMATION.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**4. PROPERTY INFORMATION.**

Address: \_\_\_\_\_

UPI#: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Existing Improvements: \_\_\_\_\_

Present Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Size of Property: \_\_\_\_\_ (acres) \_\_\_\_\_ (square feet)

Date of Previous Application, if any: \_\_\_\_\_

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**The above-referenced Applicant requests a hearing before the Zoning Hearing Board and a determination on the following matter(s) (mark all that are applicable)**

\_\_\_\_\_ **APPEAL**  
**(Complete Section 1)**

\_\_\_\_\_ **SPECIAL EXCEPTION**  
**(Complete Section 2)**

\_\_\_\_\_ **VARIANCE**  
**(Complete Section 3)**

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**DO NOT WRITE IN THIS SPACE (TOWNSHIP USE ONLY)**

Docket No.: \_\_\_\_\_

**ACTION TAKEN:**

**DATES:**

Date application filed: \_\_\_\_\_

Fee Paid \$ \_\_\_\_\_

Notice of hearing mailed to:

Applicant \_\_\_\_\_

Neighboring property owners \_\_\_\_\_

Dates of Newspaper Publication: \_\_\_\_\_

Property posting date: \_\_\_\_\_

Date of hearing: \_\_\_\_\_

Decision signed / sent to applicant/owner: \_\_\_\_\_

Date appeal filed: \_\_\_\_\_

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**SECTION I – REQUEST FOR APPEAL**

**REQUEST FOR APPEAL.** Applicant hereby appeals the determination of the Zoning Officer dated \_\_\_\_\_, pursuant to § 450-605.D. of the Zoning Ordinance.

Applicant must provide the following information:

**\*\*\*If space provided below is insufficient to provide a complete answer, Applicant may attach separate documentation with additional information to this Application\*\*\***

Determination Being Appealed (e.g., grant/denial of permit, issuance of cease and desist order):

\_\_\_\_\_

Relevant Zoning Ordinance Sections: \_\_\_\_\_

Basis For Appeal By Applicant: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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## SECTION II – REQUEST FOR SPECIAL EXCEPTION

**REQUEST FOR SPECIAL EXCEPTION.** Applicant hereby requests a special exception, pursuant to § 450-605.B. of the Zoning Ordinance.

Applicant must provide the following information:

**\*\*\*If space provided below is insufficient to provide a complete answer, Applicant may attach separate documentation with additional information to this Application\*\*\***

1. Brief description of the proposed use: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Zoning Ordinance Section Requiring Special Exception: \_\_\_\_\_

3. Brief explanation as to how the proposed use will:

(a) Comply with all applicable provisions and consistent with the purpose and intent of Chapter 450 (Zoning Ordinance) of the Code of Carroll Township. \_\_\_\_\_  
\_\_\_\_\_

(b) Not detract from the use and enjoyment of adjoining or nearby properties. \_\_\_\_\_  
\_\_\_\_\_

(c) Not substantially change the character of the subject property's neighborhood. \_\_\_\_\_  
\_\_\_\_\_

(d) Be served by adequate public facilities (*e.g.*, schools, fire, police, and ambulance protection, sewer, water and other utilities, *etc.*). \_\_\_\_\_  
\_\_\_\_\_

(e) If applicable (for development within the designated floodplain), comply with those requirements set forth in Chapter 400 (Floodplain Management) of the Code of Carroll Township. \_\_\_\_\_  
\_\_\_\_\_

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(f) Not substantially impair the integrity of the Township's Comprehensive Plan. \_\_\_\_\_

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(g) Not be detrimental to the public health, safety, and welfare. \_\_\_\_\_

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(h) Not overcrowd the land or create an undue concentration of population. \_\_\_\_\_

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(i) Not impair an adequate supply of light and air to adjacent property. \_\_\_\_\_

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(j) Not adversely affect transportation. \_\_\_\_\_

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### SECTION III – REQUEST FOR VARIANCE

**REQUEST FOR VARIANCE.** Applicant hereby requests a variance, pursuant to § 450-605.C. of the Zoning Ordinance.

Applicant must provide the following information:

**\*\*\*If space provided below is insufficient to provide a complete answer, Applicant may attach separate documentation with additional information to this Application\*\*\***

1. Brief description of the proposed use: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Zoning Ordinance Section(s) From Which A Variance Is Being Sought: \_\_\_\_\_

\_\_\_\_\_

3. Describe the unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions, peculiar to the particular property.

\_\_\_\_\_

\_\_\_\_\_

4. Describe the unnecessary hardship that is due to the above-referenced conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance, in the neighborhood or zone in which the property is located.

\_\_\_\_\_

\_\_\_\_\_

5. Explain why the unnecessary hardship has not been created by the Applicant in this case.

\_\_\_\_\_

\_\_\_\_\_

6. Explain why the variance, if authorized, will not alter the essential character of the zone or neighborhood in which the property is located, nor substantially or permanently impair the



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appropriate use or development of adjacent property, nor be detrimental to the public welfare.

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7. Explain why the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulations in issue.

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8. If applicable, explain how the variance complies with the standards and criteria for special exceptions and variances in Chapter 400 (Floodplain Management) of the Code of Carroll Township.

**I hereby certify that all the above statements and the statement contained in any attachments submitted herewith are true and accurate to the best of my knowledge and belief.**

\_\_\_\_\_  
Signature of Applicant                      Printed Name                      Date

\_\_\_\_\_  
Signature of Property Owner\*                      Printed Name\*                      Date\*

*\* Only required if Property Owner is different from the Applicant.*

# Carroll Township Zoning Hearing Board 2023 Expense Report

Date Received	Date Approved	Invoice #	Expense	Fee Paid	Docket #	Applicant	Payee	Comments
3/6/2023	N/A	N/A	N/A	\$400	2023-001	Daryl St. Clair	Carroll Township	Applicant fee paid
5/22/2023	N/A	N/A	\$150.00		2023-001	Daryl St. Clair	Board Members Pay	
6/1/2023	6/1/2023	253561	\$1,072.50		2023-001	Daryl St. Clair	CGA Law Firm	
5/22/2023	N/A	N/A	N/A	\$400	2023-002	Jason Foor	Carroll Township	Applicant fee paid
5/29/2023	N/A	N/A	\$150.00		2023-002	Jason Foor	Board Members Pay	
6/19/2023	6/19/2023	254176	\$877.50		2023-002	Jason Foor	CGA Law Firm	
8/4/2023	8/8/2023	255657	\$1,111.50		2023-002	Jason Foor	CGA Law Firm	
8/30/2023	8/30/2023	256645	\$585.00		2023-002	Jason Foor	CGA Law Firm	Prepare written decision
6/26/2023	N/A	N/A	N/A	\$400	2023-003	Brian Steager & Reta Dale	Carroll Township	Applicant fee paid
7/3/2023	N/A	N/A	\$150.00		2023-003	Brian Steager & Reta Dale	Board Members Pay	2023-003 & 2023-004
8/4/2023	8/8/2023	255659	\$300.00		2023-003	Brian Steager & Reta Dale	CGA Law Firm	Hearing preparation
8/30/2023	8/30/2023	256646	\$255.00		2023-003	Brian Steager & Reta Dale	CGA Law Firm	Prepare written decision
9/11/2023	9/11/2023	257105	\$330.00		2023-003	Brian Steager & Reta Dale	CGA Law Firm	Prepare written decision
6/26/2023	N/A	N/A	N/A	\$1,500	2023-004	No. York School District	Carroll Township	Applicant fee paid
8/4/2023	8/8/2023	255658	\$375.00		2023-004	No. York School District	CGA Law Firm	
9/11/2023	9/11/2023	257004	\$645.00		2023-004	No. York School District	CGA Law Firm	Prepare written decision
7/24/2023	N/A	N/A	N/A	\$1,500	2023-005	Harry Fox - Aldi	Carroll Township	Applicant fee paid
7/31/2023	N/A	N/A	\$150.00		2023-005	Harry Fox - Aldi	Board Members Pay	
8/14/2023	8/15/2023	1267928	\$161.80		2023-005	Harry Fox - Aldi	Dillsburg Banner	
8/30/2023	8/30/2023	256647	\$300.00		2023-005	Harry Fox - Aldi	CGA Law Firm	
9/11/2023	9/11/2023	257106	\$750.00		2023-005	Harry Fox - Aldi	CGA Law Firm	Prepare written decision
7/27/2023	N/A	N/A	N/A	\$400	2023-006	BLG Construction, LLC	Carroll Township	Applicant fee paid
9/5/2023	9/5/2023	1267999	\$161.80		2023-006	BLG Construction, LLC	Dillsburg Banner	
9/11/2023	9/11/2023	257005	\$480.00		2023-006	BLG Construction, LLC	CGA Law Firm	Hearing preparation
8/4/2023	N/A	N/A	N/A	\$1,500	2023-007	RandS Group Ltd.	Carroll Township	Applicant fee paid
9/5/2023	9/5/2023	1268000	\$161.80		2023-007	RandS Group Ltd.	Dillsburg Banner	
9/11/2023	9/11/2023	257006	\$240.00		2023-007	RandS Group Ltd.	CGA Law Firm	Hearing preparation
6/19/2023	6/19/2023	254175	\$405.00		General	General Representation	CGA Law Firm	
8/4/2023	8/8/2023	255656	\$570.00		General	General Representation	CGA Law Firm	
9/11/2023	9/11/2023	257104	\$945.00		General	General Representation	CGA Law Firm	STR, New Application, misc

**Total Expenses & Fees Paid: \$10,326.90    \$6,100**

# Carroll Township Zoning Hearing Board

## 2023 Expenses by Docket

Docket #	Expense
<b>2023-001</b>	<b>\$1,223</b>
Daryl St. Clair	\$1,223
<b>2023-002</b>	<b>\$2,724</b>
Jason Foor	\$2,724
<b>2023-003</b>	<b>\$1,035</b>
Brian Steager & Reta Dale	\$1,035
<b>2023-004</b>	<b>\$1,020</b>
No. York School District	\$1,020
<b>2023-005</b>	<b>\$1,362</b>
Harry Fox - Aldi	\$1,362
<b>2023-006</b>	<b>\$642</b>
BLG Construction, LLC	\$642
<b>2023-007</b>	<b>\$402</b>
RandS Group Ltd.	\$402
<b>Grand Total</b>	<b>\$8,407</b>